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FM AMEMBASSY KABUL

TO RUEHC/SECSTATE WASHDC PRIORITY 8736

INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC 0800

RUCNAFG/AFGHANISTAN COLLECTIVE

RUEHZG/NATO EU COLLECTIVE

RUEABND/DEA HQS WASHINGTON DC

RUCPDOC/DEPT OF COMMERCE WASHINGTON DC

RUEHBU/AMEMBASSY BUENOS AIRES 0029

UNCLAS KABUL 001141

DEPT FOR SRAP, SCA/FO, SCA/RA, AND SCA/A

DEPT PASS FOR AID/ANE

DEPT PASS USTR FOR DELANEY AND DEANGELIS

DEPT PASS OPIC

DEPT PASS FOR TDA FOR STEIN AND GREENIP

USOECD FOR ENERGY ATTACHE

CENTCOM FOR CSTC-A

NSC FOR JWOOD

TREASURY FOR MHIRSON, ABAUKOL, AWELLER, AND MNUGENT

COMMERCE FOR HAMROCK-MANN, DEES, AND FONOVICH

SENSITIVE

SIPDIS

E.O. 12958 N/A

TAGS: [PGOV](#) [ASEC](#) [EIND](#) [EAID](#) [AF](#)

SUBJECT: Atmar promises private security company rules will address USG concerns; Parliamentary action on hold

REFS: (a) Kabul 918 (b) Kabul 603 (c) Kabul 463

¶1. (SBU) Interior Minister Atmar told acting DCM on May 3 that the government was prepared to modify its regulations of private security companies (PSCs) to meet U.S. concerns. Karzai has directed cabinet members to give Atmar the authority to grant the U.S. exceptions to existing regulations on personnel caps, and to equalize governmental fees. Atmar characterized cabinet approval to grant Atmar this authority to be "pro forma." The regulations limit the armed personnel per PSC to 500, a number that would be insufficient to meet security requirements for USG facilities and operations. The regulations also impose significantly higher governmental fees on non-Afghan than Afghan providers. (See refs b and c). The authority for Atmar would permit MOI to exempt certain PSCs from the personnel cap and to equalize the differentiated fee structure. The MOI would exempt PSCs that the U.S. Embassy sought exemptions for, as long as the companies were properly vetted. (Note: The U.S. only contracts with properly licensed PSCs.)

¶2. (SBU) The cabinet had expected to approve the authority at the May 3 cabinet meeting, but Karzai changed the agenda to focus on the May 6-7 Trilateral Meeting. Atmar expected the cabinet to take up this issue at the May 18 cabinet meeting. Atmar dismissed the delay as inconsequential. Karzai had made clear his intent, and the cabinet would affirm the decision when it met next. In the meantime, the embassy will continue its working-level consultations with Interior officials to work out the details of the exemption from the cap and equalization of the fees.

¶3. (SBU) Parliament continues to debate a draft PSC law that is even more restrictive and discriminatory than the regulations issued by the cabinet (ref a). Speaker Qanooni promised the Charge on April 29 to keep the law from a vote until MPs advocating harsher rules and those closer to the U.S. position could reach a compromise. The majority of MPs want to ban PSCs altogether, but they are disorganized and Qanooni rightly regards their hard-line position as impractical and unworkable. Atmar promised that he and his staff would continue to lobby Parliament for changes to the bill but urged the embassy to keep up its own efforts as well. Since Parliament action is always unpredictable, the embassy will continue to speak with both opponents and supporters to make sure that the law addresses USG concerns over force protection and equal treatment for

non-Afghan PSCs.

RICCIARDONE